

In re Application of:

Inventor: Linsen Liu

Group Art Unit: 1761

App. No: 10/613,389

Examiner: To Be Assigned

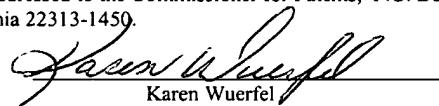
Filed: July 3, 2003

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37 C.F.R. § 1.8**

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Date of Deposit: October 29, 2003

I hereby certify that this correspondence and all attachments are being deposited with the United States Postal Service as first class mail on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.



Karen Wuerfel

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In accordance with 37 C.F.R. § 1.56, the references listed on the attached forms PTO/SB/08A/B are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. The Examiner is requested to make these documents of record.

I. Timing of the Information Disclosure Statement:

This Information Disclosure Statement is filed:

- With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).
- Within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. § 1.491.

Before the mailing date of a first Office action on the merits. In the event, however, that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is hereby authorized to charge Deposit Account No. 50-2518 for any fees required pursuant to 37 C.F.R. §§ 1.17(p) or 1.17(i)(1).

This Information Disclosure Statement is filed:

After the first Office Action and more than three months after the application's filing date; or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and the Commissioner is hereby authorized to charge Deposit Account No. [] for the fee (\$180) set forth in 37 C.F.R. § 1.17(p) and any additional required fees.

This Information Disclosure Statement is filed:

After the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$180.00) set forth in 37 C.F.R. § 1.17(i)(1) and a certification as specified in 37 C.F.R. § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the Information Disclosure Statement.

The undersigned certifies that:

Each item of information contained in the Information Disclosure Statement was first cited in any communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in

37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

II. Copies of the Cited Items:

Copies of all of the items listed on the attached Forms PTO/SB/08A/B are enclosed.

Copies of only the following items listed on the attached Form PTO/SB/08A are enclosed:

JP 54-120607; JP 60-091939A; JP 61-44120; JP 01-262753

JP 01-262754; JP 4-283410; JP 11-262358; EP 0129290 A1

EP 0591258 B1; EP 0594258 B1

“Nutritional Foods Spray the Fat”; Food Industries of South Africa, September 1995; Vol. 48, No. 9, P. 14.

T.P. PANTZARIS; “Pocketbook of Palm Oil Uses”; Malaysian Palm Oil Board, Ministry of Primary Industries, Malaysia; Fifth Edition, September 2000; Tables 7, 11, 12, 15, 16 and 17 (3 pages).

R. SONO et al., “Heat Deterioration of Phospholipids,” Journal of Olea Sciences, Vol. 50, No. 11, pp. 905-911, Res. & Dev. Div., Tsuji Oil Mills Co. Ltd., Japan, 2001.

Copies of the items listed in the attached Form PTO/SB/08 are not supplied because they were previously cited by or submitted to the Patent Office in a prior Application No. _____ filed _____ and relied upon in this application for an earlier filing date under 35 U.S.C § 120. See 37 C.F.R. § 1.98(d).

Copies of those items which are marked with an asterisk (**) in the attached Form PTO/SB/08A were cited in a foreign examination report in a related case. A copy of the search report and the cited references not already of record in this application are attached hereto.

III. Concise Explanation of Relevance:

- A concise explanation of relevance of the items listed on Forms PTO/SB/08A/B is not given.
- A concise explanation of relevance of [some of] the items listed on Form PTO/SB/08A is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references (copy attached).

IV. Related Applications:

- Applicants bring to the Office's attention the following related, co-pending application(s):

V. Conclusion:

Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

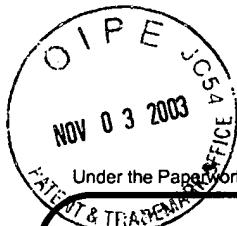
It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached Forms PTO/SB/08A/B with initials or other appropriate marks. The Commissioner is hereby authorized to charge Deposit Account No. 50-2518, billing reference number: 703258-2001 for any additional fees required in connection with the filing of this Information Disclosure Statement.

Respectfully submitted,
BINGHAM MCCUTCHEN LLP

Dated: October 29, 2003

By: 
Gary D. Lueck
Registration No. 50,791

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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of

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Complete if Known

Application Number	10/613,389
Filing Date	July 3, 2003
First Named Inventor	Linsen Liu
Art Unit	1761
Examiner Name	Not Yet Assigned

Attorney Docket Number

703258-2001

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number – Kind Code ² (if known)			
1		US-2,796,363	06-18-57	Lalone	
2		US-3,661,605	05-09-72	Rubin, et al.	
3		US-3,821,007	06-28-74	Carey	
4		US-3,896,975	07-29-75	Follmer	
5		US-4,023,912	05-17-77	Mahler, et al.	
6		US-4,066,817	01-03-78	DeRossi	
7		US-4,073,411	02-14-78	Doumani	
8		US-4,108,678	08-22-78	Szuhaj, et al.	
9		US-4,142,003	02-27-79	Sejpal	
10		US-4,155,770	05-22-79	Doumani	
11		US-4,163,676	08-07-79	Konigsbacher	
12		US-4,188,412	02-12-80	Sejpal	
13		US-4,192,898	03-11-80	Hanson, Sr.	
14		US-4,425,164	01-10-84	Bliznak, et al.	
15		US-4,371,451	02-01-83	Scott, et al.	
16		US-4,479,977	10-30-84	Dashiell, et al.	
17		US-4,524,085	06-18-85	Purves et al.	
18		US-4,528,201	07-09-85	Purves	
19		US-4,547,388	10-15-85	Strouss	
20		US-4,654,221	03-31-87	Purves et al.	
21		US-4,849,019	07-18-89	Yasukawa, et al.	
22		US-5,156,876	10-20-92	Clapp, et al.	
23		US-5,211,317	05-18-93	Diamond, et al.	
24		US-5,296,021	03-22-94	Clapp, et al.	
25		US-5,362,892	11-08-94	Umeda, et al.	
26		US-5,370,732	12-06-94	Follmer	
27		US-5,374,434	01-19-99	Clapp, et al.	
28		US-5,455,055	10-03-95	Stoltz	
29		US-5,503,866	04-02-96	Wilhelm, et al.	
30		US-5,567,456	10-22-96	Clapp, et al.	
31		US-5,650,185	07-22-97	Stoltz	
32		US-5,662,956	09-02-97	Knightly	
33		US-5,874,117	02-23-99	Sundram, et al.	
34		US-6,123,977	09-26-00	Diamond	
35		US-6,210,743	04-03-01	Clapp, et al.	



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U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number – Kind Code ² (if known)			
36	US-6,365,211	04-02-02	Corrigan		
37	US-6,365,558	04-02-02	Lai		
38	US-6,403,144	06-11-02	EI-Khoury, et al.		
39	US-6,414,172	07-02-02	Garces, et al.		

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ – Number ⁴ – Kind Code ⁵ (if known)				
1	JP 54-120607		09/19/1979	M. Shigezou et al.		
2	JP 60091939A		05/23/1985	A. Saburo, et al.		Y
3	JP 61-44120		10/01/1986	T. Izumi, et al.		Y
4	JP 01-262753		10/19/1989	S. Kazuaki, et al.		Y
5	JP 01-262754		10/19/1989	S. Shoichi, et al..		Y
6	JP 4-283410		09/09/1992	H. Masumi		Y
7	JP 11-262358		09/28/1999	S. Junichiro, et al.		Y
8	JP 2002-238453		08/27/2002	N. Machiko, et al.		Y
9	EP 0129290 A1		12/27/1984	E. Purves		
10	EP 0591258 B1		09/04/1997	Gruetzmacher, et al.		Y
11	EP 0594258 B1		07/01/1999	E. Van Armen, et al.		Y
12						
13						
14						
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PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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First Named Inventor	Linsen Liu
Group Art Unit	1761
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Attorney Docket Number	703258-2001

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	"Nutritional Foods Spray the Fat"; Food Industries of South Africa, September 1995; Vol. 48, No. 9, P. 14.	
	2	T.P. PANTZARIS; "Pocketbook of Palm Oil Uses"; Malaysian Palm Oil Board, Ministry of Primary Industries, Malaysia; Fifth Edition, September 2000; Tables 7, 11, 12, 15, 16 and 17 (3 pages).	
	3	R. SONO et al., "Heat Deterioration of Phospholipids." Journal of Olea Sciences, Vol. 50, No. 11, pp. 905-911, Res. & Dev. Div., Tsuji Oil Mills Co. Ltd., Japan, 2001.	

Examiner Signature	Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

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